



Docket No.: 60188-419

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
	:	
Shigeo IRIE	:	Confirmation Number: 9324
	:	
Serial No.: 09/891,192	:	Group Art Unit: 1756
	:	Allowed: May 18, 2004
Filed: June 26, 2001	:	Examiner: Saleha Mohamedulla
	:	

For: PATTERN FORMING METHOD AND APPARATUS FOR FABRICATING  
SEMICONDUCTOR DEVICE

**REQUEST TO APPLY THE ISSUE FEE**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant is in receipt of the Decision (copy enclosed) on the Petition Under 37 CFR

1.313(c)(2) filed in connection with the above-identified application and respectfully  
requests that the Issue Fee and Publication Fee paid on March 16, 2004, be applied to the  
attached new Notice.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

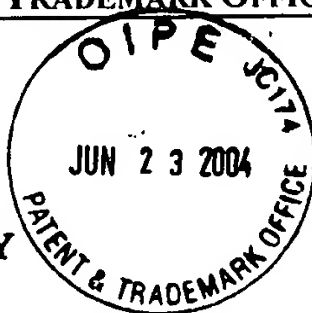
  
Michael E. Hogarty  
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**Date: June 23, 2004**



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
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WASHINGTON, DC 20005-3096

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APR 21 2004

In re Application of  
Shigeo Irie  
Application No. 09/891,192  
Filed: June 26, 2001  
Attorney Docket No. 60188-419

:  
:  
: OFFICE OF PETITIONS  
: DECISION GRANTING PETITION  
: UNDER 37 CFR 313(c)(2)  
:

This is a decision on the petition, filed April 6, 2004, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

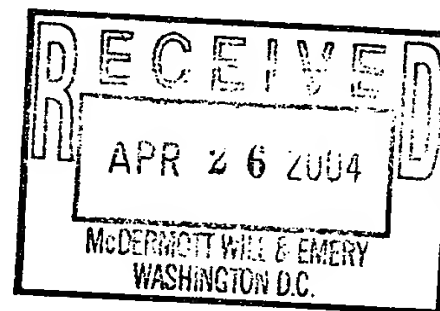
**Petitioner is advised that the issue fee paid on March 16, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>**

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

This matter is being referred to Technology Center AU 1756 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed Supplemental Information Disclosure Statement.



Frances Hicks  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy



<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).